

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : CHAPTER 13
CLAUDIA N. NESMITH :
Debtor : BANKRUPTCY NO. 24-14391-amc

STIPULATION

AND NOW, it is hereby stipulated and agreed by and between the undersigned, as follows that the following debt owed by the Debtor held by Movant on Debtor's residence is \$43,804.18 shall be deemed a non-dischargeable debt under Chapter 13 of the United States Bankruptcy Code and shall not be affected by the Debtor's Chapter 13 plan:

1. As of January 28, 2025, debtor's gas arrearage held by Movant on Debtor's residence 7000 N 12th St, Philadelphia, PA 19126-2101 is \$43,804.18. This arrearage is itemized as follows:

- Unpaid and unauthorized gas usage from 11/30/2012 to 3/25/2023 at her residence.¹

2. This debt of \$43,804.18 is non-dischargeable under Bankruptcy Code § 523 (a)(4), Bankruptcy Code §523 (a)(2)(A) "debt obtained by false pretenses."

3. This stipulation shall be binding upon the Debtor, the Movant, and their Respective heirs, successors, and assigns, and shall be incorporated into the Debtor's Chapter 13 plan.

4. The provisions of this Stipulation do not constitute a waiver of Movant's right to pursue its legal and state remedies under the applicable law against Debtor after the bankruptcy is completed and/or dismissed.

Date: February 19, 2025

/s/ Pearl Pham

Pearl Pham, Esq. Attorney for Movant- Philadelphia Gas Works

Date: _____

/s/ Michael A. Cibik

Michael A. Cibik, Esq.- Attorney for Debtor

Date: 3/12/2025

/s/ Jack K. Miller, Esq. for

Kenneth E. West, Esq.-Chapter 13 Trustee

¹ Ms. Nesmith filed an informal Public Utilities Commission ("PUC") complaint to dispute her PGW gas bill for the above stated amount. She agreed to close her complaint after the PUC issued its decision stating VERBAL CLOSE: CUSTOMER UNDERSTANDS SHE MUST PAY BALANCE TO RESTORE AND IS RESPONSIBLE FOR CHARGES SINCE SHE OWNS THE PROPERTY. CUSTOMER AGREED TO CLOSE THE COMPLAINT WITH THE PUC.

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: : **CHAPTER 13**
CLAUDIA N. NESMITH :
 Debtor : **BANKRUPTCY NO. 24-14391-amc**
 :
Philadelphia Gas Works :
 Moving Party :
 :
 vs. :
Claudia N. Nesmith :
 Debtor :
Kenneth E. West :
 Trustee :

ORDER

AND NOW, this _____ day of _____, 2025, at Philadelphia, upon consideration of this Stipulation, it is hereby ORDERED that:

The Court grants approval of the Stipulation executed by all parties.

HONORABLE ASHELY M. CHAN
UNITED STATES BANKRUPTCY JUDGE